

CITY EDITION

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## BULL DAY SPENT IN DISBARMENT CASE; SENSATION SPRUNG AT END

Thomas N. Wilkerson Testifies as to Pressure Brought to Bear by O. N. Marron to Secure Settlement of Case.

### READING OF RECORDS CONSUMES MUCH TIME

Court Interrogates Counsel Regarding Proceedings in Myers Litigation; Trial Will Probably End Tonight.

The most sensational evidence was introduced in the trial of the disbarment proceedings against Owen N. Marron and Francis E. Wood was offered late yesterday afternoon when Thomas N. Wilkerson testified that Mr. Marron, representing the plaintiff in the case in which the attorney was attorney for the defendant, used methods of securing a large fee from the defendant amounting to nearly valid threats.

The testimony was of such a character that, in justice to the person referred to, it cannot be printed. Mr. Wilkerson testified that part of the conversation with Mr. Marron to which he referred was held in the presence of his client and part of it only with him. The cross-examination of the witness by Judge Wright was brief, but it is understood that depositions will be introduced in evidence this morning from Mr. Wilkerson's clients tending to contradict the evidence given yesterday afternoon.

#### End Drawing Near.

Court and counsel are working with a view to concluding the trial of the proceedings today, and if it should be necessary to accomplish this result a night session will be held tonight. After concluding the march of the case, which defendant now being taken up the fifth and sixth charges and had not concluded taking evidence on them at the hour of adjournment.

### RUSSIANS CAPTURE TOWN OF GUMUSKHANEH

Washington, July 21 (via London).—The capture by Russian troops of the town of Gumuskhaneh, forty-five miles southwest of Trebizond, in Turkish Armenia, was announced this morning from Mr. Wilkerson's clients tending to contradict the evidence given yesterday afternoon.

**Progressing Favorably.**—Mr. Polk is keeping both the press and Secretary Lansing, now absent on vacation, advised of each step taken. The acting secretary is guarding closely what proposals are being debated in his conference with Mr. Arredondo. He again and all investigators today with the statement that negotiations were progressing favorably.

The note of July 11, as published in Mexico City, would limit the proposed commission to discussion of three specific points: Withdrawal of American troops from Mexico, arrangement of a re-investment agreement under which the troops of either government might cross the border in pursuit of bandits, and investigation of the bandit raids on American towns to determine what interests prompted them in an effort to force intervention.

While it is now certain the Washington government has no objection to discussion of any of these questions, there have been intimations that President Wilson hoped much greater results could be accomplished toward restoration of tranquility and stable government in Mexico than that limited field would permit. For that reason it was inferred that the present effort of Mr. Polk probably was directed toward widening the scope of the commission's activities, and that General Carranza's answer on this suggestion must be received before final decision could be reached.

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**May Have Great Task.**—In some quarters it was reported that Chief Justice White, aided by Maj. Gen. Goethals, who recently resigned as governor of the Panama Canal Zone, and Frederick Lehmann, formerly solicitor general and a member of the A. B. C. meeting conference at Niagara Falls, had been considered. The name of Louis D. Brandeis, associate justice of the Supreme court, also was mentioned. There was nothing to indicate, however, that the two men had become very popular with the townspeople. He lived at the Holland hotel and he and his wife and 11-year-old son were on intimate terms socially with Mr. and Mrs. Spannall and their seven-year-old daughter.

Previous to the shooting Spannall, who had achieved a local reputation for ready wit, uttered many actions in the lobby of the Holland hotel, of which he was manager. It was recalled today that he was extremely fond of his wife and Colonel Butler, with whom he had been very friendly, as he ushered his wife and the officer into the car for the fatal drive. Because of this local attachment did not believe the killing was premeditated.

Colonel Butler, who only recently was promoted from the rank of major, had been stationed here in command of the 10th division for about two years and had become very popular with the townspeople. He lived at the Holland hotel and he and his wife and 11-year-old son were on intimate terms socially with Mr. and Mrs. Spannall and their seven-year-old daughter.

Before being taken away from the dead pit Spannall braved death completely and sojourned for hours, discussing what he termed his "misfortune."

He persisted, however, in his refusal to discuss his reasons for the shooting or to say what transpired in the car immediately preceding the shooting.

**Welcome an Investigation.**—The Mexican outline of subjects to be discussed by the commissioners contains no new proposal except that the origin of the border raids be investigated. It is recalled that General Carranza's first indication of hostility took the form of a note suggesting discussion of the withdrawal of the American forces and that the state department was preparing to discuss the subject with the ways of anti-American demonstrations in northern Mexico, new border raids and the recent Carranzista clash brought the situation to a crisis.

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**Senate Session of Court.**—From the standpoint of the layman the session of court yesterday held little of interest. For the most part it was made up of the reading of parts of the record in various cases and the arguments of counsel and testimony of witnesses regarding matters that were hardly intelligible to any one other than a lawyer.

The first witness of the day was Mr. Wood, who replied to the evidence of Judge Raynolds regarding the effort to have Judge Medier hear the motion to set aside the default judgment in the case of Johnson vs. Albuquerque Pressed Brick and Tile company. Mr. Wood testified that he knew nothing of Judge Raynolds' desire to have no other judge than himself pass on the motion, until told by Judge Medier, who had come to Albuquerque for the purpose of hearing the motion and in his get-together to exchange. That was all he had to say. Mr. Wood did not recall that Judge Raynolds had told him that his conduct regarding the hearing of the motion was "untenable, if not actual contempt," and added that he supposed that both he and Judge Raynolds entertained feelings

### The Day in Congress

#### Senate.

Restraint debate on the naval bill. Passed naval bill carrying \$135,000,000 by a vote of 51 to 8.

Took up consideration of arms appropriation bill carrying \$20,000,000. Confirmed appointment of Abram L. Miles as ambassador to Turkey. Adjourned at 2:30 p. m. until 10 a. m. Saturday.

#### House.

Considered miscellaneous bills. General bill to regulate water-power rights and rates sent to committee.

Special committee to report whether language inserted in congressional record by Representative Calaway, Tex., reflecting on Representative Gardner, Massachusetts, should be stricken.

Adjourned joint resolution to extend leaves of absence with credit to homesteaders in the federal service with the national guard.

Adjourned at 2:30 p. m. until noon Tuesday.

### THE WEATHER

**THE WEATHER FORECAST.**—Denver, July 21.—New Mexico Saturday and Sunday local thunderstorms, not much change in temperature.

ings of contempt, but neither had expressed them.

At the conclusion of Mr. Wood's offering a motion to dismiss this charge, made by Judge Wright Thursday afternoon, was renewed and overruled.

The next charge taken up was that which concerned the introduction in evidence of a release signed by Major Ernest Myers as head of the record in the case of Myers vs. the Myers company, the allegation being that Mr. Wood thereby perpetrated a fraud on the court by offering the release as proof of payment when in fact he knew that such was not the case.

The facts in this branch of the case are similar to those on which Judge Raynolds sometime ago issued an order suspending Mr. Wood from practice in the courts of the Second judicial district. Mr. Wood's defense is that no fraud was perpetrated on the court and that the release was admissible in evidence for the purpose for which it was offered.

The consideration of this charge consumed almost all the remainder of the session, and brought on frequent questions from Justice Parker and Justice Hinman during the argument of Judge Wright on a motion to dismiss the charge. A long extract from the record in the Myers case was read by Attorney General Clancy, and Judge Wright then took the stand and testified that he understood the release to be evidence of the absolute payment of the claim sued on. Mr. Wood, testifying in his own behalf, reviewed the legal aspects of the case and insisted that he had done nothing improper in offering the release in the way that he did.

The court, shortly before adjournment, took up the fifth and sixth charges and had not concluded taking evidence on them at the hour of adjournment.

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### PLANS FOR PEACE CONFERENCE ARE BEING WORKED OUT BY POLK

Garranza's Commission Idea Is Not Altogether Satisfactory; Acting Secretary and Arredondo Confer.

### TO WIDEN SCOPE OF COMMISSION'S POWERS

Chief Justice White, Gen. Goethals and Frederick Lehmann Are Being Considered as U. S. Mediators.

### BY MORNING JOURNAL SPECIAL LEASED WIRE

Washington, July 21.—Official announcement of the course to be followed in seeking a peaceful solution of the problems arising from conditions along the Mexican border probably will be made either tomorrow or early next week.

It appeared certain tonight that the Washington government was prepared to accept the commission plan in its form of July 11, made public yesterday in the Washington Post.

It was agreed that the commission's powers should be extended to include the right to negotiate a peace agreement.

Acting Secretary Polk conferred again today with Eliseo Arredondo, General Carranza's ambassador, but the conferees had no announcement to make. Apparently acceptance of the commission plan is awaiting General Carranza's reply to amendments proposed by the Washington government to his suggestion, the nature of which has not been revealed.

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